

Chevy Chase Village Board of Managers

November 13, 2012

BOARD OF MANAGERS

Patricia S. Baptiste, Chair	Present
Michael L. Denger, Vice Chair	Present
Richard Ruda, Secretary	Present
Gary Crockett, Treasurer	Absent
David L. Winstead, Board Member	Present

STAFF

Shana R. Davis-Cook, Village Manager	Present
John Fitzgerald, Police Chief	Present
Michael Younes, Director of Municipal Operations	Present
Demetri Protos, Finance Director	Present
Ellen Sands, Permitting and Code Enforcement Coordinator	Present
Jacqueline A. Parker, Public Safety Coordinator	Present

LEGAL COUNSEL

Ron Bolt, Village Counsel	Present
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Ms. Patricia S. Baptiste, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:30 p.m.

Election of Board Officers

Mr. Winstead moved to approve the appointment of Michael Denger as Vice Chair of the Board of Managers. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Ruda and Mr. Winstead voted in favor of the motion. Mr. Denger abstained. The motion passed.

Selection of Board Representatives to Standing Committees

- ad hoc Building Code Review Committee
- Traffic Committee

Mr. Denger moved to appoint Ms. Baptiste as a Board representative to the ad hoc Building Code Review Committee and Mr. Ruda as Board representative to the Traffic Committee. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Approval of Minutes from the Board's Regular Meeting held on October 8, 2012

Action to approve the minutes of the Board's regular meeting held on October 8, 2012.

Mr. Ruda moved to approve the minutes of the Board of Managers' regular monthly meeting held on October 8, 2012, as drafted. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Approval of Minutes from the Board's Executive Session held on October 8, 2012

Action to approve the minutes of the Board's Executive Session held on October 8, 2012.

Mr. Ruda moved to approve the minutes from the Board of Managers' Executive Session held on October 8, 2012, as drafted. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Variance and Special Permit Requests

A-6195 (Retroactive Special Permit Request) Mr. & Mrs. Evgeny Bakhtin, 204 Primrose Street. Maintain a concrete garage apron that was widened and that measures twenty seven feet, four inches (27'-4") in width in the rear (southwest) yard of the property.

Mr. Winstead moved to direct staff to draft a decision approving the retroactive special permit request to maintain a concrete garage apron that was widened and that measures twenty seven feet, four inches (27'-4") in width in the rear (southwest) yard of the property. Mr. Denger seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

A-6233 (Variance Request) Mr. and Mrs. Steven Sprenger, 5501 Park Street. Construct three (3) treads that would encroach two feet, seven inches (2'-7") forward of the twenty-five (25) foot front (Park Street) building restriction line.

The hearing in this case was continued to the December 10, 2012 Regular Board Meeting.

A-6234 (Special Permit Request) Mr. and Mrs. Steven Sprenger, 5501 Park Street. Widen an existing concrete driveway that would measure a maximum of twenty (20) feet in width in the front (south) yard of the property.

Mr. Denger moved to direct staff to draft a decision approving the special permit request to widen an existing concrete driveway that would measure a maximum of twenty (20) feet in width in the front (south) yard of the property. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

A-6235 (Retroactive Variance Request) Mr. and Mrs. Daniel Coughlan, 20 West Lenox Street. Maintain a stoop and tread that were constructed and that encroach two feet, six inches (2'-6") forward of the twenty-five (25) foot (Magnolia Parkway) front building restriction line.

Mr. Denger moved to direct staff to draft a decision approving the retroactive variance request to maintain a stoop and tread that were constructed and that encroach two feet, six inches (2'-6") forward of the twenty-five (25) foot (Magnolia Parkway) front building restriction line with the condition that the resident provide a landscape plan. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Treasurer's Report

The Treasurer's Report was distributed to the Board prior to the meeting. No action was taken by the Board.

Mr. Ruda stepped out of the room immediately following the Treasurer's Report. Ms. Baptiste noted that the Board had lost a quorum of its members. Mr. Ruda re-entered the room later for the remainder of the meeting.

Mr. Denger also stepped out of the room briefly and then reentered the room later for the remainder of the meeting.

Village Hall Update

Mr. Denger reported that the Village had received a Maryland Public Information Act request filed on behalf of Mr. and Mrs. Luis Medeiros of 3 West Lenox Street pertaining to their concerns regarding operation of the Village Public Works Department and the Chevy Chase Branch Post Office in the Village Hall. Mr. Denger stated that Village staff is in the process of compiling the requested information. Given the value to the community of the services provided by the Public Works Department and the convenience and benefit of having a local post office, Mr. Denger recommended that the Board invite Mr. and Mrs. Medeiros, and their attorney, to attend the Board's December 10 regular meeting to express their concerns and to explain what changes they seek in regard to the operation of the Public Works Department and post office and to see what amicable resolution might be reached.

The Board directed Village Counsel to write a letter to the Medeiros' attorney inviting them to attend the Board's December 10 regular meeting, or the earliest meeting thereafter that they are available to attend.

Police Report

The Police Report was circulated prior to the meeting. No action was taken by the Board.

- **Proposal to outfit administration/capital projects vehicle (Dodge Durango) as a first responder vehicle for use by police personnel.** Chief Fitzgerald circulated a memo to the Board prior to the meeting requesting the Board's support to outfit the Village's 2003 Dodge Durango with emergency lights and siren so that the Police Department will have access to an additional emergency vehicle for its operations at a cost not to exceed \$3,500. No objections were received from the Board.

Committee & Commission Appointments

Building Code Review Committee

- Board Appointment of Thomas Jackson (Primrose Street) as Member.

Mr. Denger moved to appoint Thomas Jackson to serve on the Village Building Code Review Committee. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Chevy Chase Open Space Committee

Mr. Younes presented an update on the First Phase of Plantings. No Board action was taken.

Ethics Commission

- Board Appointment of Robert Brewer, Jr. (Grafton Street) to fill vacant seat, term 2/2014.

Mr. Denger moved to appoint Robert Brewer, Jr. to fill the vacant seat with a term ending February 2014. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Legal Services Committee

Committee Member Robert Brewer provided an update on the committee's review of proposals for outside counsel. No Board action was taken.

Traffic Committee

- Board Appointment of Peter Kilborn (Oliver Street) as Member.

Mr. Denger moved to appoint Peter Kilborn to serve on the Traffic Committee. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Tree Committee

- Proposed Plantings: Connecticut Avenue

Mr. Denger moved to direct staff to file a right-of-way tree planting application with the Maryland State Highway Administration for Connecticut Avenue. Ms. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

- **Status of Village Tree Canopy**

Mr. Samuel Lawrence, Chair of the Tree Committee, provided a report to the Board. No Board action was taken.

Old Business & Status Reports

Status of Ethics Ordinance, Resolution No. 10-01-12: An Ordinance to replace in its entirety Chapter 2 of the Chevy Chase Village Code to enact conflicts of interest standards and financial disclosure requirements equivalent to State requirements. Mr. Denger advised that the draft Ordinance had been submitted to the State Ethics Commission for its review and approval. The State Ethics Commission has approved the Ordinance, subject to the following non-substantive changes:

- In Sec. 2-5(h)(3), delete: **“(iv)is a lobbyist with respect to matters within the jurisdiction of the official or employee.”**

- In Sec. 2-7(e) replace: “...in section (c) and (d)...” with “...in section 2-6 (f) and (g)...”

Mr. Denger recommended Board approval of the above amendments. Mr. Denger also announced that, in light of the two recent resignations, the Board will renew its request for an exemption from the financial disclosure requirements with the State Ethics Commission.

Mr. Denger made a motion to approve Resolution No. 10-01-12, as amended. Mr. Ruda seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Village Counsel was excused at 9:29 p.m.

Board Review and Possible Approval of Organization Plan Modules

- Communications (updated)
- Equipment (updated)
- Vehicles (updated)
- Capital Projects and Infrastructure (new)

The Board agreed to continue discussion on the draft modules at the December 10, 2012 Regular Board Meeting.

New Business

Contract Authorization Request:

- Holiday Party Caterer: Innovative Gourmet

Mr. Ruda made a motion to authorize the Village Manager to enter into a contract with Innovative Gourmet to provide catering services at the Annual Holiday Party in the amount of \$7,085.00. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Manager’s Report

The Manager’s Report was circulated prior to the meeting.

Ms. Davis-Cook presented the annual matter of a monetary holiday gift from the Board to the staff for the Board’s consideration.

Mr. Ruda moved to approve the issuance of a Giant Food grocery store gift card to each employee in the amount of \$100.00. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda and Mr. Winstead voted in favor of the motion. The motion passed.

Mr. Denger moved to adjourn the meeting. Mr. Winstead seconded the motion. Ms. Baptiste, Mr. Denger, Mr. Ruda, and Mr. Winstead voted in favor of the motion. The motion passed. The open meeting adjourned at 10:05 p.m.

Final.

Secretary, Chevy Chase Village Board of Managers